IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.3187 OF 2005.

IN

CIVIL APPLICATION NO.874 OF 2005

IN

FIRST APPEAL ST.NO.15326 OF 2003.

Shri Bhimrao Dadoba Ingale : Applicant

versus

Shri Gangaram Govind Patil

& ors. : Respondents.

Mr.Amit Borkar for the applicant.

CORAM : D.G.DESHPANDE,J.

DATED : 09th September 2005.

ORAL ORDER

1. Heard advocate for the applicant. According to him, he has already paid Rs.50,000/- to Respondent No.1 and this fact is stated in the affidavit in support of Civil Application No.874

of 2005 where the xerox copy of cheque paid to the respondent is annexed. The counsel for the appellant states that when Respondent No.1 is already paid this amount, there is no question of further deposit. Hence Civil Application No.3187 of 2005 is allowed and the order dated 17.6.2005 is recalled. Application No.847 of 2005 is restored to file. Appeal is also restored to file. Keep the appeal for admission.

[D.G.DESHPANDE,J]